

PAUL E. KANJORSKI
11TH DISTRICT, PENNSYLVANIA

COMMITTEE ON
FINANCIAL SERVICES

CHAIRMAN:

SUBCOMMITTEE ON CAPITAL MARKETS, INSURANCE,
AND GOVERNMENT SPONSORED ENTERPRISES

COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM

WASHINGTON OFFICE:

2188 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3811
(202) 225-6511



Congress of the United States
Washington, DC 20515-3811

December 3, 2009

The Honorable James L. Oberstar
Chairman
Committee on Transportation and
Infrastructure
2165 Rayburn House Office Building
Washington, DC 20515

The Honorable John L. Mica
Ranking Member
Committee on Transportation and
Infrastructure
2163 Rayburn House Office Building
Washington, DC 20515

DISTRICT OFFICES:

THE STEGMAIER BUILDING
7 NORTH WILKES-BARRE BOULEVARD
SUITE 400 M
WILKES-BARRE, PA 18702-5283
(570) 825-2200

546 SPRUCE STREET
SCRANTON, PA 18503-1808
(570) 496-1011

102 POCONO BOULEVARD
MOUNT POCONO, PA 18344-1412
(570) 895-4176

TOLL FREE HELP-LINE
(800) 222-2346

Website: <http://kanjorski.house.gov>
E-mail: paul.kanjorski@mail.house.gov

Dear Chairman Oberstar and Ranking Member Mica:

As you begin to craft the Water Resources Development Act (WRDA) of 2010, I respectfully request you consider amending the Section 510, Chesapeake Bay Environmental Restoration and Protection Program. Thank you in advance for your consideration on the following changes:

- Eliminate the Public Ownership Requirement or permit the Secretary of the Army to provide assistance to non-profit organizations that own, operate and maintain projects that ultimately benefit the Chesapeake Bay.
- Permit federal funds, not provided by the Army Corps, to be used as the non-federal share for projects under the program.
- Establish the Chesapeake Bay Environmental Restoration and Protection Program as a permanent program by removing "Pilot" from its authorization.

As you may know, Northeastern Pennsylvania is home to one of the largest tributaries of the Chesapeake Bay, the Susquehanna River. In addition, Northeastern Pennsylvania is also home to thousands of acres of mine-scarred land. Poor mining practices have resulted in large amounts of mine deposits and sediments traveling into the Susquehanna River and in the end, the Chesapeake Bay. This has had a devastating impact on the aquatic habitats and health of the River and the Bay.

Earth Conservancy is a non-profit corporation dedicated to reclaiming mine-scarred land in Northeastern Pennsylvania for economic development and recreational uses. Since 1994, Earth Conservancy has restored more than 1,200 mine-scarred acres and is currently restoring an additional 1,100 acres. To date, Earth Conservancy has worked with agencies such as the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, the Office of Surface Mining Reclamation and Enforcement and the Pennsylvania Department of Environmental Protection to reclaim mine-scarred land in Northeastern Pennsylvania.

Nanticoke Creek is located in Luzerne County, PA and deposits into the Susquehanna River. More than 100 years of coal mine spoil and refuse piles are found in the Nanticoke Creek. Earth Conservancy and the Army Corps have partnered and developed a comprehensive plan to address this problem. The Army Corps has directed Earth Conservancy to the Section 510 Program as the best way to finance this restoration project.

The Section 510 Program contains a provision that only permits the Secretary of the Army to provide assistance to projects that are publicly owned, operated and maintained. As a result, Earth Conservancy and the Army Corps cannot move forward without a local government that is willing to be responsible for the project. The local municipal government does not have the expertise to handle this type of project. In addition, Luzerne County is facing significant budget shortfalls because of the ongoing economic downturn. The Luzerne County Commissioners have expressed that it would be extremely difficult to take on the liability of the project but are in full support of the initiative.

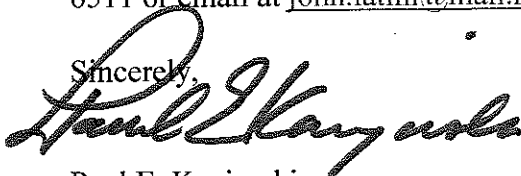
As a result, I respectfully request you that you remove the Public Ownership Requirement or allow non-profit organizations to own, operate and maintain projects under the Section 510 Program. In addition, I request that you make the Section 510, Chesapeake Bay Environmental Restoration and Protection Program permanent.

Finally, I would like to request that you amend the Section 510 Program to allow federal funds, other than those provide through the Army Corps, to serve as the non-federal portion of the cost sharing for a project under the program. As you know, many local governments, non-profits and small business are finding it extremely difficult to generate the necessary revenue to continue operations during these tough economic times. By allowing the Army Corps to combine federal funds from other agencies, we can ensure that important restoration projects receive the funding they need to help restore the Chesapeake Bay.

Enclosed you will find two Congressional Earmark Certification forms with the original signatures for my request, letters of support from the local project sponsor and County, and a copy of the online receipt. In addition, this information has also been posted on my website at <http://kanjorski.house.gov/wrda>.

If you need any additional information, please feel free contact me directly or have a member of your staff contact John Latini in my Washington, DC office by phone at (202) 225-6511 or email at john.latini@mail.house.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul E. Kanjorski", written over the word "Sincerely,".

Paul E. Kanjorski
Member of Congress